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July 17, 2017

VIA ECF AND HAND DELIVERY

The Honorable Dora L. Irizarry
Chief United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Nordlicht, et al., 16-cr-640 (DLI)

Dear Chief Judge Irizarry:

As the Court is aware, on June 27, 2017, we filed a letter on behalf of our client, Mark Nordlicht, requesting limited modifications to the terms of his conditions of release to permit him to travel to the District of Rhode Island in order to perform due diligence work on behalf of a start-up family investment office. *See* Dkt. 162. In the letter and at the subsequent July 7, 2017 status conference, we made certain representations on behalf of our client regarding the nature of that work as we then understood it. The Court denied the request on June 28, 2017, for reasons stated on the record during the July 7 conference.

In response to concerns regarding Mr. Nordlicht's proposed work raised by the Court and the government during the July 7 conference, we requested the opportunity to file a written submission addressing those concerns. The Court ordered our written submission to be filed by the end of last week, and gave the government one week to reply.

In preparing Mr. Nordlicht's response that was due on July 14, we learned new information that was not known to defense counsel at the time we filed the June 27 letter or made the supporting statements on Mr. Nordlicht's behalf at the July 7 conference. Based on the new information we have learned, we believe it is necessary to take corrective action consistent with our duty to the Court. Accordingly, we hereby withdraw the June 27, 2017 letter, Dkt. 162, and the statements supporting the letter made by counsel at the July 7, 2017 conference.

Respectfully submitted,

/s/ William A. Burck
William A. Burck

cc: All counsel of record (by ECF)

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